

Minutes of the June 2004 Commission Meeting

June 3, 2004

Commission Offices, 1900 Capitol Avenue, Sacramento

COMMISSION MEMBERS ATTENDING

Lawrence Madkins, Teacher, Chair

Elaine C. Johnson, Public Representative, Vice-Chair

Kristen Beckner, Teacher

Steve Lilly, Faculty Member

Leslie Littman, Designee, Office of the Superintendent of Public Instruction

Alberto Vaca, Teacher

Os-Maun Rasul, Non-Administrative Services Credential Holder

COMMISSION MEMBERS ABSENT

Beth Hauk, Teacher

EX-OFFICIO REPRESENTATIVES

Sara Lundquist, California Postsecondary Education Commission

Karen Symms Gallagher, Association of Independent California Colleges and Universities

Athena Waite, University of California

EX- OFFICIO REPRESENTATIVES ABSENT

Bill Wilson, California State University

COMMISSION STAFF PRESENTING

Sam Swofford, Executive Director

Maureen Henkelman, Manager, Executive Office

Mary Armstrong, General Counsel, Director, Professional Practices Division

Janet Vining, Staff Counsel, Professional Practices Division

Kimberly Hunter, Staff Counsel, Professional Practices Division

Lee Pope, Staff Counsel, Professional Practices Division

Dale Janssen, Director, Certification, Assignment & Waivers Division

Rhonda Brown, Program Analyst, Certification, Assignment & Waivers Division

Nancy Passaretti, Program Analyst, Certification, Assignment & Waivers Division

Rachel Rodriguez, Program Analyst, Certification, Assignment & Waivers Division

Leyne Milstein, Director, Information Technology & Support Management Division

Crista Hill, Manager, Fiscal and Business Services Section

Linda Bond, Director, Office of Governmental Relations

Elizabeth Graybill, Interim Director, Professional Services Division

Amy Jackson, Administrator, Professional Services Division

Larry Birch, Administrator, Professional Services Division

Phyllis Jacobson, Consultant, Professional Services Division

Kathleen Beasley, Proceedings Document Recorder

Thursday, June 3, 2004

GENERAL SESSION

3A: Meeting Called to Order

The general session was called to order by Chair Madkins. Roll was taken; because of a lack of quorum, one ex-officio member (Waite) was selected by lot to establish a quorum. Everyone joined in the Pledge of Allegiance.

3B: Approval of the May 2004 Minutes

A motion to approve the May 2004 Commission minutes was made (Johnson), seconded (Littman) and carried without dissent; Commissioner Beckner abstained.

Approval of the June 2004 Agenda

A motion to approve the June 2004 agenda with inserts (pertaining to 3C, 5A, 5B, 7A and 7B) was made (Vaca), seconded (Rasul) and carried without dissent.

3C: Approval of the June 2004 Consent Calendar

Division of Professional Practices

Before seeking a motion to approve the June 2004 Consent Calendar, Chair Madkins asked Susan Porter, Consultant, Professional Services Division, to brief the Commission on the Request to Award a Contract for Cultural Competency Study. Ms. Porter said staff released a Request for Proposals for the study, required under AB 54 (Oropeza), on May 7, with a due date of June 1. However, no bids were received, so there is no recommendation for awarding the contract. Staff anticipates re-releasing the RFP and bringing a recommendation forward in August.

Commissioner Lilly asked that Survey of Blended and Integrated Teacher Preparation Programs Report to the Legislature be pulled for separate consideration. Chair Madkins asked for a motion to approve the June 2004 Consent Calendar without the blended programs report but with the addition of Marvin Barbre and Rosellen Miner to the Recommendations of the Committee of Credentials for Adverse Action. The motion was made (Johnson), seconded (Waite) and carried without dissent.

The Commission then took up the blended programs report. Commissioner Lilly asked that language on page 7 of the report be clarified in two places. The first was the disparity between the phrase 38 approved blended programs and a later item that talks about 9 approved programs. Beth Graybill, Interim Director, Professional Services Division, said the figure of 38 includes 27 programs approved under interim standards and the 9 since approved under the current standards. Commissioner Lilly asked that the number be explained in the report; staff agreed.

The second clarification requested by Commissioner Lilly concerned the concept of blended programs being placed on hold. He said that the approval of the programs may be on hold, but that he knows of no blended programs that are not proceeding operationally and accepting students. He said clarifying that situation and adding a reference to the direction the Commission is taking regarding the development of a certificate might be helpful to the Legislature; staff agreed.

A motion to approve the report as amended for submission to the Legislature was made (Lilly), seconded (Johnson) and carried without dissent.

RECOMMENDATIONS OF THE COMMITTEE OF CREDENTIALS

Education Code section 44244.1 allows the Commission to adopt the recommendation of the Committee of Credentials without further proceedings if the individual does not request an administrative hearing within a specified time.

1. BILLINGS, Nancy J. Loomis, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

1a. BARBRE, Marvin B. Sacramento, CA

Mr. Barbre is the subject of public reproval for misconduct pursuant to Education Code section 44421, effective immediately.

2. **BOTHWELL, Kenneth L.** Oxnard, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of forty-five (45) days** for misconduct pursuant to Education Code section 44421.

3. **BROWN, Etta E.** Oakland, CA

The application is **denied** and Ms. Brown is the subject of **public reproof** for misconduct pursuant to Education Code sections 44345 and 44421.

4. **CASIAN, Hugo** Azusa, CA

The application is **denied** and Mr. Hugo is the subject of **public reproof** for misconduct pursuant to Education Code sections 44345 and 44421.

5. **HANRAHAN, David L.** Tulare, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.

6. **HORN, Peter J.** Vacaville, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of sixty (60) days** for misconduct pursuant to Education Code section 44421.

7. **JOHNSON, Terry F.** Anaheim, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.

8. **KNOWLES, Bill J.** Clements, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

9. **KOH, Ruth** Long Beach, CA

Ms. Koh is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

10. **MARTIN, Sandra G.** Orange, CA

All certification documents under the jurisdiction of the California Commission

on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

10a. **MINER, Rosellen** Cambria, CA

The expired Administrative Services Credential is suspended for a period of fifteen (15) days for misconduct pursuant to Education Code section 44421, effective immediately.

11. **MORSE, Michael J.** Los Angeles, CA

Mr. Morse is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

12. **ORGERON, Jerome M.** Sacramento, CA

Mr. Orgeron is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

13. **PIPER, Matthew S.** Rohnert Park, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.

14. **RAMIREZ, Maria L.** Indio, CA

Ms. Ramirez is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

15. **SPARKS, Bradley N.** Sacramento, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

16. **TURNER, Nancy O.** Newport Beach, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.

17. **VAUGHN, Chanessa G.** Los Angeles, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

18. **WELLMAN, Daniel T.** Palm Desert, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.

CONSENT DETERMINATIONS

19. **ABBAGE, Marshall** Los Angeles, CA

The Attorney General's Proposed Consent Determination, which stipulates that Mr. Abbage's credential is **revoked**, however the **revocation is stayed**, his credential is **suspended for a period of ninety (90) days**, and he is placed on **probation for a period of three (3) years**, is adopted.

20. **BERNAL, Ralph R.** Encinitas, CA

The Attorney General's Proposed Consent Determination, which stipulates that Mr. Bernal is the subject of **public reproof**, is adopted.

21. **BERTLES, David D.** Dinuba, CA

The Proposed Consent Determination, which stipulates that Mr. Bertles's credential is **suspended for a period of one hundred twenty (120) days**, however, the **suspension is stayed**, with an actual **suspension of thirty (30) days**, after which time he is placed on **probation for a period of three (3) years**, is adopted.

22. **BROCCHINI, Lynda M.** Pacifica, CA

The Attorney General's Proposed Consent Determination, which stipulates that Ms. Brocchini's applications are **granted**, and **revoked**, however, the **revocation is stayed**, with an actual **suspension of thirty (30) days**, and she is placed on **probation for a period of three (3) years**, is adopted.

23. **BULENS, Diane** Marina Del Rey, CA

The Proposed Consent Determination, which stipulates that Ms. Bulens's credential is **suspended for a period of thirty (30) days**, is adopted.

24. **HARRIS, Edward E.** Yreka, CA

The Attorney General's Proposed Consent Determination, which stipulates that Mr. Harris's certification documents are **suspended** through July 1, 2005 when they expire, and that he will not reapply for any certification document for two (2) years after that time, is adopted.

25. **ROSS, Thomas E.** Gardena, CA

The Attorney General's Proposed Consent Determination, which stipulates that

Mr. Ross's applications are **granted**, and **revoked**, however the **revocation is stayed**, and he is placed on **probation for a period of three (3) years**, is adopted.

PRIVATE ADMONITION

Pursuant to Education Code section 44438, the Committee of Credentials recommends one (1) private admonition for the Commission's approval.

DECISION AND ORDER

26. **O'NEAL, Patrick H.** Redding, CA

In accordance with the default provisions of Government Code section 11520, Mr. O'Neal's credentials are **suspended for a period of thirty (30) days**.

FINDINGS

27. **OHLRICH, Steven Roy** Valley Springs, CA

After consideration of the stipulated facts, Mr. Ohlrich's credential is **revoked**.

28. **VIZCARRA, Victor** Huntington Park, CA

The Decision and Order which stipulates that Mr. Vizcarra's application for a Certificate of Clearance is **denied**, is adopted.

PROPOSED DECISION

29. **KAPLANEK, Deeann M.** Arroyo Grande, CA

The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **revoke** all credentials, life diplomas or other certification documents under the jurisdiction of the Commission, is adopted.

REQUESTS FOR REVOCATION

The Commission may revoke credentials upon the written request of the credential holder pursuant to Education Code sections 44423 and 44440.

30. **ROBARDS, Steven G.** Elk Grove, CA

Upon his written request, pursuant to Education Code section 44423, his supplementary authorization of Biology on his Professional Clear Single Subject Teaching Credential is **revoked**.

31. **SMITH, Richard F.** Crescent City, CA

Upon his written request, pursuant to Education Code section 44423, his Clear Resource Specialist Certificate of Competence and Life Specialist Instruction Credential in Special Education are **revoked**.

DIVISION OF PROFESSIONAL PRACTICES

MANDATORY ACTIONS

All certification documents held by and applications filed by the following individuals are mandatorily revoked or denied pursuant to Education Code sections 44346, 44346.1, 44424, 44425 and 44425.5, which require the California Commission on Teacher Credentialing to mandatorily revoke the credentials held by individuals convicted of specified crimes and to mandatorily deny applications submitted by individuals convicted of specified crimes.

32. **CASTRO, Greg** Bakersfield, CA

33. **FRANKLIN, Maisha L.** Long Beach, CA

34. **HARRIS, Frank E.** Tujunga, CA

35. **JOHN, John Frankilyn II** 29 Palms, CA

36. **McCLURE, Bette Jo** Orangevale, CA

37. **RODRIGUEZ, Oscar** San Diego, CA

38. **SCOTT, Richard L.** Aliso Viejo, CA

39. **SOLANO, Kenny** Moreno Valley, CA

40. **SOLOMON, Theresa L.** Cameron Park, CA

41. **THOMAS, Alan L.** Los Angeles, CA

AUTOMATIC SUSPENSION

All certification documents held by the following individual were automatically suspended because a complaint, information or indictment was filed in court

alleging he committed an offense specified in Education Code section 44940. The certification documents will remain automatically suspended until the Commission receives notice of entry of judgment pursuant to Education Code section 44940(d) and (e).

42. **REGAZZI, Dale A.** Encinitas, CA

NO CONTEST SUSPENSIONS

All credentials held by the following individuals were suspended, pursuant to Education Code section 44424 or 44425, because a plea of no contest was entered to an offense specified in the above sections of the Education Code. The credentials will remain suspended until final disposition by the Commission.

43. **LOCKREM, Timothy L.** San Pedro, CA

44. **PEMBERTON, Douglas L.** Los Angeles, CA

DISABILITY SUSPENSION

45. **GALLIVAN, Barbara L.** Tracey, CA

Pursuant to Education Code section 44336, all certification documents are **suspended** for the duration of the disability effective May 4, 2004.

Professional Services Division

APPROVAL OF PROFESSIONAL TEACHER INDUCTION PROGRAMS

The Induction Program Review panel has determined that the following proposed Professional Teacher Induction Programs meet all applicable standards established by the Commission and recommends the programs for approval by the Commission.

The eight programs of professional teacher induction being recommended for approval at this time are:

1. Imperial County Office of Education Consortium Beginning Teacher Support and Assessment Induction Program
2. La Mesa-Spring Valley School District Beginning Teacher Support and Assessment Induction Program

3. Long Beach Unified School District Beginning Teacher Support and Assessment Induction Program
4. Montebello Unified School District Beginning Teacher Support and Assessment Induction Program
5. Placer County Office of Education Consortium Beginning Teacher Support and Assessment Induction Program
6. Pomona Unified School District Beginning Teacher Support and Assessment Induction Program
7. San Gabriel Unified School District Beginning Teacher Support and Assessment Induction Program
8. Vista Unified School District Beginning Teacher Support and Assessment Induction Program

Approval of Subject Matter Preparation Programs Submitted By Colleges and Universities

Subject Matter Program Review Panels are responsible for the review of proposed subject matter preparation programs. This item contains a listing of subject matter programs recommended for approval since the last Commission meeting by the appropriate review panels, according to procedures adopted by the Commission.

For the following proposed preparation programs, each institution has responded fully to the Commission's standards and preconditions for subject matter preparation for Single Subject Teaching Credentials. Each program has been reviewed thoroughly by the Commission's Subject Matter Program Review Panels and has met all applicable standards and preconditions established by the Commission and are recommended for approval by the appropriate subject matter review panel.

Staff recommends the Commission approve the following program of subject matter preparation for Single Subject Teaching Credentials:

Mathematics

o Loyola Marymount University

Survey of Approved Blended and Integrated Teacher Preparation Programs: A Report to the Legislature

This report is provided pursuant to Education Code 44252.1(e)(5), which requires the Commission to provide information to the Legislature on the success of

integrated/blended programs of professional preparation. Assembly Bill 1307 (Goldberg, Chapter 565, Statutes of 2001) requires the Commission to report on the number of students who have been admitted to, taken coursework in, and graduated from integrated programs, and established a deadline for the report of June 30, 2004. This report provides data on the approved blended programs at California State University, University of California and private and independent colleges and universities in programs for Multiple Subject, Single Subject and Education Specialist Credential Programs. It provides an overview of integrated program features and examines the place of blended programs in the Learning to Teach Continuum. Two programs are featured as case studies in this report.

Certification, Assignment and Waivers Division

DENIAL OF CREDENTIAL WAIVER REQUESTS

The Appeals and Waivers Committee having reviewed these waiver requests has recommended they be denied. The employing districts have not asked for reconsideration of the Committee's decisions.

1. Sidney Carl Moore, Jr./Antioch Unified School District
2. Julio Candia/International School
3. Nora Rodriguez/Long Beach Unified School District
4. Timothy Curry/Byron Union Elementary School District

3D: Chair's Report

Chair Madkins said he had no formal report other than to continue to thank the members of the education community for coming together, working collaboratively and providing input on a wide variety of issues.

Chair Madkins then recognized Ex Officio Representative Lundquist, who announced her resignation as an Ex Officio Representative. She explained that because of new demands at her community college, she would no longer be able to represent the California Postsecondary Education Commission at Commission meetings. She thanked everyone for welcoming her to the Commission, supporting her during her learning curve and giving her the opportunity to make a contribution. She said she believes some of the most important decisions affecting California take place at the Commission and that she appreciated the opportunity to take part in the Commission's deliberations.

Chair Madkins thanked her for her participation and for bringing a thoughtful, articulate voice to the Commission.

3E: Executive Director's Report

On behalf of Commission staff, Dr. Swofford thanked Ex Officio Representative Lundquist for bringing the community college perspective to the table and said he looks forward to maintaining a productive relationship with her.

Noting that issues like the current budget crisis need to be kept in perspective, Dr. Swofford said that in honor of Memorial Day he wanted to recognize staff members who have relatives serving in the military overseas. They included Nancy Passaretti, who has a Marine son in Fallujah; Eleanor Hood, who has a Marine son-in-law on the Saudi Arabia border; Roz Myers, who has an Army son on the Afghanistan/Pakistan border; Danetta Garcia, who has an Army son in Saudi Arabia; and Rose Alvarez, who has an Air Force stepson in England.

FISCAL POLICY AND PLANNING COMMITTEE OF THE WHOLE

Commissioner Vaca convened the Fiscal Policy and Planning Committee of the Whole.

4A: Update on the Fiscal Year 2003-04 Budget Act

Leyne Milstein, Director, Information Technology and Support Management Division, said the current fiscal year is nearly complete and staff is closing out books. She said there are still two outstanding issues. The first is the potential for a second loan to augment an earlier one that was based on a 4 percent decline in revenues; revenues are now down about 5 or 6 percent. The second is a normal part of the budget process, which is the adjustment of the Test Development and Administration Account to reflect actual costs due to the contractor.

4B: Update on the Fiscal Year 2004-05 Proposed Governor's Budget

Ms. Milstein reported that the Governor's May revision of the proposed 2004-05 budget contained some unanticipated provisions, including adding back in two positions and \$200,000 of his previously recommended \$600,000 reduction. The May revise also outlined a process to reduce workload and then redirect the savings from the new process into eliminating the credential application processing backlog. However, the proposed process is similar to what is already done, so there are no savings to be redirected.

Ms. Milstein said in the Assembly, staff was able to make a compelling case to have four positions added in, as well as the \$200,000. In addition, language was approved that requires the Commission to report to the Legislature on the

backlog on a quarterly basis and to produce further options for reducing processing time and workload.

In the Senate, the action was to provide four positions and \$400,000. This means the Commission's budget will be taken up by the budget conference committee. No matter what action the conference committee takes, the Governor may still take action to return the budget to his original proposal (reduction of \$600,000) or his revised proposal (reduction of \$400,000), which leaves the Commission a challenge for next year.

Ms. Milstein also noted that both legislative houses rejected the Governor's block grant proposal, although a block grant bill is moving forward. For the moment, the pre-intern, paraprofessional, intern and BTSA programs are all at status quo. Regarding the pre-intern program, the Assembly has allocated \$6 million to cover people who are already in the program who may need up to two years to complete it. The Senate has allocated \$3.5 million. The Governor's original proposal was to completely eliminate the pre-intern program. The Senate and Assembly allocations are an apparent acknowledgement that many districts are using the pre-intern program as a transition until July 2006 when fully qualified teachers are required under No Child Left Behind (pre-interns do not qualify).

4C: Third Quarter Report of Revenues and Expenditures for Fiscal Year 2003-04

Ms. Milstein provided the report of expenditures and revenues for the third quarter of the fiscal year. She noted that the amount in the Teacher Credentials Fund, which stands at 80 percent of the budgeted amount, would not be that high were it not for the \$2.8 million loan. This is important to keep in mind because of the revenue shortfall and its implications for the Commission's ability to meet its obligations. Although the loan has provided an adequate level of resources so far, it is important to remember that revenue is lagging behind budgeted projections. Commissioner Lilly asked that the chart for the next quarter's presentation indicate the loan amount on the bar chart representation for the Teacher Credentials Fund.

Ms. Milstein said that the Test Development and Administration expenditures are on target. Operating Expenses appear high, but that is because funds are already encumbered for contracts that run throughout the year.

LEGISLATIVE COMMITTEE OF THE WHOLE

In place of Commissioner Hauk, Chair Madkins convened the Legislative Committee of the Whole. Linda Bond, Director, Office of Governmental Relations, presented the items.

5A: Status of Legislation of Interest to the Commission

Ms. Bond reported that AB 2171 (Benoit) has been approved in the Assembly and now has moved out of Senate Education on the consent calendar. The bill adds school social workers to an exemption from CBEST for prelingually deaf credential candidates.

SB 1621 (Machado) has also been approved in its house of origin and has moved out of the Assembly Education Committee on the consent calendar. The bill expands the district intern Special Education programs. SB 1658 (Karnette), which implements the Commission's decisions regarding emergency permits, has also passed out of the Assembly Education Committee on consent.

5B: Analyses of Bills of Interest to the Commission

Ms. Bond recommended an approve position on AB 2909 (Salinas), which would require that a credentialed individual participate in any meetings to determine what services a deaf or hard-of-hearing infant or toddler would receive. A motion to take an approve position on the bill was made (Johnson), seconded (Lilly) and carried without dissent.

Ms. Bond recommended a watch position on AB 1914 (Montanez). The bill addresses education in the prison system and under the current version requires that an ongoing teacher training program in correctional education be developed in conjunction with the Commission. Staff plans to monitor the bill and provide updates to the Commission, but at this point it is very early in the bill discussion and negotiation process. Commissioner Johnson asked what the likelihood of the bill succeeding is; Ms. Bond replied that it is difficult to tell but that there is a substantial amount of interest in the correctional system.

A motion to take a watch position on AB 1914 was made (Rasul), seconded (Waite) and carried without dissent.

Returning to Legislation of Interest to the Commission, Ms. Bond provided a chart on the status of the categorical reform bills. The Governor's proposal, embodied in the Runner bill, has been sent to interim study. The Diaz bill, which contained a CTA/CFT proposal to put PAR and BTSA funding into one block grant, has been gutted and now only speaks to ongoing information by a local

committee of teachers regarding program effectiveness. The bill that has gone through the most changes and is moving ahead is Alpert's SB 1510. It moved off the Senate on a vote of 33-0. The bill has been amended to reiterate the Commission's authority over any and all programs with respect to credentialing, and to provide for continuation of the statewide BTSA regional support and accountability network. The bill is expected to be the Senate's vehicle for negotiations on categoricals.

CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE OF THE WHOLE

Commissioner Lilly convened the Credentialing and Certificated Assignments Committee of the Whole.

6A: Proposed Amendments and Deletions to Title 5 Sections 80048.3, 80413.1, 80457, 80523.1 and 80523.1

Dale Janssen, Director, Certification, Assignment and Waivers Division, recapped that the Commission began about a year ago to look at Title 5 and update it to align it with statutory requirements. This is the third set of changes to come before the Commission. The four items include deleting a section that is no longer relevant regarding out-of-state-trained teachers in Special Education; deleting a section that addresses out-of-state-trained teachers for single and multiple subjects; deleting the Western Association of Schools and Colleges to align with a statute enacted in 2001; and adding the Education Specialist Credential to a section that deals with experience in lieu of student teaching.

This item was for information only. Staff will bring the changes back at the August meeting for a vote directing the beginning of the rule-making file and public hearing process.

6B: A Report on the Assignments of Certificated Employees by County Offices of Education for Monitoring Cycle 1999-2003

Rachel Rodriguez, Program Analyst, Certification, Assignment and Waivers Division, presented a report required under the Education Code that assesses the teacher assignments and mis-assignments every four years. The summary of the findings is that 363,000 certificated employees were examined; 2.5 percent were misassigned overall; 1 percent of elementary teachers were misassigned and 5.2 percent of secondary teachers were misassigned. The four core academic areas accounted for 39 percent of the misassignments. Ms. Rodriguez requested that the Commission approve the report for submission to the Legislature. A motion to do so was made (Johnson), seconded (Beckner) and carried without dissent.

Chair Madkins noted that it is good to see a continuing trend in improvement in such numbers and thanked the Division for the hard work.

6C: Application for Eminence Credential

Nancy Passaretti, Associate Governmental Program Analyst, Certification, Assignment and Waivers Division, presented an application for eminence credential in the subject of speech for Derek Yuill requested by the San Gabriel Unified School District. Eminence is defined as recognized as eminent beyond the boundaries of the community, demonstrably advanced in his or her field, and been acknowledged by peers to a degree beyond the norm of others. Ms. Passaretti explained that San Gabriel had previously submitted an application in February 2000, which was denied as not containing sufficient documentation of eminence. In the current application, new materials have been submitted.

Mr. Yuill thanked the Commission for considering his application and offered to provide any further information needed. He noted that his program helps students better themselves through speech and debate. In Texas, where speech/debate is required, there are about 1,000 programs, which in California there are only 300. His program serves the predominantly Asian and Latino students in the district. He also pointed out that he has a valid teaching credential from Indiana in speech and theater but that such a credential is not recognized in California. He would have to have an English degree even though he does not and will not teach English.

Chair Madkins congratulated him on putting together a very thorough packet. Commissioner Littman said that she knows that the school consistently fields a very strong debate team. She made a motion to approve the eminence credential. Commissioner Vaca seconded the motion. It carried without dissent.

6D: Proposed Documents to Replace Emergency Permits

As a follow-up to discussions at prior Commission meetings and stakeholder input, Mr. Janssen presented an array of options for the Commission to consider regarding documents that would replace emergency permits for acute and anticipated staffing needs. The first set of options concerned short-term, acute staffing needs, such as when an emergency arises during the middle of a school year. The options included choices for names (Interim Staff Permit or Short-Term Staff Permit), candidate requirements (bachelor's degree, CBEST, 40 units for multiple subject or 18 units for single subject), LEA requirements (local recruitment effort, orientation and ongoing support, and written justification signed by the Superintendent), and term of the document (not to exceed one year

and non-renewable or renewable for one additional year in a different assignment).

The second set of options concerned the anticipated staffing needs when no credentialed candidate can be found. The options included choices for names (Resident Teacher Permit or Provisional Internship Permit), candidate requirements (either 40 units for multiple and 18 for single, or 60 units for multiple and major for single, or 48 for multiple and 24 for single), verification of diligent search (annual resolution or specific documentation of diligent search, except possible for acknowledged shortage areas), and public notice (notice of intent made public or parents notified after four weeks).

Commissioner Lilly asked those providing input to focus on the options where there are choices. The following people spoke:

Joy Carter, Orange County Department of Education and 27 school districts in Orange County that teach 520,000 students. She addressed the candidate requirements, favoring the option with 40 units for multiple subject and 18 for single subject. She said because these are emergency situations it is important not to limit the pool of applicants, which will affect a district's ability to find the best person to place in the classroom. Raising the bar by asking for more units may not support that goal. She said the requirement that there be real and meaningful progress toward completion of the credential is something that everyone should support.

Stephanie Farland, California School Boards Association. She thanked the Commission for including stakeholders in the discussion and said she was pleased to read recently that emergency permits are down for the third year in a row, a sign that districts are already working to eliminate under-qualified teachers. She said CSBA favors Option A (40 units for multiple subject candidates) because it gives districts the flexibility they need to fill classrooms with needed teachers. She supported the document being limited to two years and requiring districts to support and mentor holders of the permits. She said it is particularly important not to make recruitment more difficult for rural schools and those districts seeking math, science and special education teachers.

Sharon Robison, Association of California School Administrators. She asked the Commission to consider allowing an additional one-year extension for the acute permit because of occasional circumstances that arise where a teacher's health does not allow a return to the classroom by the time the next school year

begins.

Turning to the anticipated staffing need document, she supported Option A (40 units). She said moving to a larger number of units would make it very difficult for administrators to find teachers and is an unnecessary burden when everyone recognizes the goal of moving the permit holder to a full credential or at least subject matter competency and an intern program as quickly as possible.

Regarding the proof of diligent search, she said ACSA feels the current requirement for an annual resolution by the governing board provides sufficient public notice. She said it is in the best interest of administrators, children and school districts to have fully credentialed teachers, so districts already do all they can to find a qualified individual. When they cannot, the procedure for filling staffing needs should be reasonable.

Similarly, she said the requirement for public notice should simply be a notice of intent rather than letters to parents. She said ACSA feels such a requirement is outside the scope of the Commission's responsibility since it moves into NCLB compliance.

Chair Madkins asked her why someone who was needed beyond the acute need could not transition to the second type of emergency permit - the anticipated staffing needs document - rather than extending the acute permit. Dr. Robison said that his suggestion would work. The chairman said he preferred to see no exceptions to the limited time period for the acute permit.

Phyllis Bradford, Coordinator of Certificated Credentials and Contracts for Los Angeles Unified School District. She reported that the district has reduced emergency permits from more than 5,000 several years ago to fewer than 500 today. Like others, she supported 40 units as the requirement. She also said LAUSD uses numbers rather than names to identify teachers so it would not be possible to publicize the name of a teacher hired under one of the emergency permits.

Bruce Kitchen, School District Liaison to the Commission for the School District HR and Personnel Administrators for San Bernardino and San Diego counties. He favored retaining the current candidate requirements, which are 40 units, because they have served the state well for decades.

Diana Narvarez, San Francisco Unified School District. She supported the 40-unit requirement to allow districts the most options when they cannot find a

credentialed applicant.

Commissioner Lilly went through the options, noting that there appeared to be no disagreement about the need for both acute and anticipated staffing need documents. There was general informal agreement that the name Short-Term Staff Permit would be best for the acute-need document.

Turning to the issue of renewability for the Short-Term Staff Permit, Chair Madkins reiterated that if someone needed to stay beyond the first year, they could be switched to the second type of permit. Commissioner Littman agreed with the concept but noted that would only work if both permits had the same candidate requirements (40 units for multiple and 18 for single subject).

Commissioner Lilly said he too supported not having the acute permit be renewable.

For the anticipated-need document, Commissioner Littman said she likes the provisional internship concept but would not want to see confusion with interns. Chair Madkins said he likes to see the linkage that reflects the progressive development of a candidate, but he also worried about confusion and suggested that some other name might need to be found. Mr. Janssen explained that they arrived at the suggestion because "provisional" means something that is not yet complete, and since the concept is to move them into an internship by the end of the permit period, the name reflects the concept. Commissioner Littman said she supports the idea of a pipeline that candidates move along. Commissioner Lilly said since the intention is to get everyone qualified for internships, he does not mind seeing the name anticipate that action.

Commissioner Lilly then noted that the speakers unanimously supported Option A (40 units). He asked if there were any opposing feelings from commissioners. There were none.

Commissioner Littman said that for verification of a diligent search, she would like to see specific, concrete requirements rather than an annual resolution because such information is helpful as the Commission makes decisions in the Appeals and Waivers process. Vice Chair Johnson supported specific requirements, saying otherwise there is the danger of a rubber-stamp annual resolution that doesn't take into account the circumstances surrounding each opening. Commissioner Beckner also agreed.

Ex Officio Representative Waite asked if it is possible to create special categories

for math, science and special education - recognized shortage areas - in line with Mr. Janssen's comment that requiring specific documentation in those areas might be overly bureaucratic. Chair Madkins suggested that current language in the Appeals and Waivers process could be used that already addresses that situation. Commissioner Littman supported the idea, as did Commissioner Lilly.

Turning to the requirement of public notice, Commissioner Littman said she does not believe the public notice is as important as verifying that a diligent search has been made. She said requiring the district to send out letters would be extreme, excessive and a waste of resources. Commissioner Lilly said that while he favors letters, he does not want to see it turn into a "Scarlet Letter" approach and that he can live without such a requirement as long as there is proof of a diligent search.

Mr. Janssen said staff will bring back a recommendation in August that reflects the Commission discussion so that the Commission can take action and begin the process for rule-making and public hearing on the issue.

PROFESSIONAL SERVICES COMMITTEE OF THE WHOLE

Commissioner Becker convened the Professional Services Committee of the Whole.

7A: Update on the Implementation of SB 2042

Dr. Larry Birch, Administrator, Professional Services Division, and Dr. Phyllis Jacobson, Consultant, Professional Services Division, gave a presentation on the progress for implementing SB 2042. A chart in the in-folder materials gave an overview of the status of different portions of the law.

Dr. Birch noted that under SB 2042, for the first time the state had a comprehensive and integrated approach to the learning-to-teach continuum. He said the major features of the legislation were implementing standards to govern all aspects of a teacher's development; providing a five-year option that integrates subject matter studies with coursework and field experience in teaching; embedding a standards-based teaching performance assessment in teacher preparation programs; and providing an induction program.

Dr. Jacobson said the SB 2042 reform was unprecedented in California's history, requiring that multiple sets of standards be developed at the same time. They included:

- Professional Teacher Preparation Standards: Key features are alignment with K-12 academic content standards, coupling of teacher preparation and performance assessment, requirement that all teachers be able to work effectively with English learners, and collaboration between IHEs and school districts. The standards were adopted in September 2001, the first programs were submitted in April 2002 and by June 1, 2004, 96 out of 104 programs had been approved.

- Elementary Subject Matter Preparation Program Standards. Key features are alignment with K-12 academic content standards, alignment with CSET, stronger field experience, and standards relating to allocation of adequate resources and periodic review. The standards were adopted in September 2001, the first programs were submitted in April 2002, and by June 1, 2004 29 programs out of 56 submitted were approved.

- Blended Programs of Undergraduate Teacher Preparation. Key features are that the programs offer coursework in subject matter and pedagogy in a concurrent and connected manner. The standards were adopted in 2001, the first programs were submitted in September 2002 and by June 1, 2004 9 out of 21 programs were approved.

- Single Subject Matter Preparation Program Standards. The work was begun in 2001 and there are three phases of development. The first were for English, math, science and social science, adopted in 2003. Phase Two included music, art, physical education and languages other than English; these were adopted in May 2004. The current phase is addressing home economics, agriculture, business, health, industrial and technology education, and American Sign Language. Programs submitted pursuant to the Phase One standards are currently under review.

Dr. Birch addressed technical assistance. Regional teams of Commission and BTSA staff provided assistance at the regional levels; the Commission web site offers extensive materials; three statewide workshops were conducted; and staff made numerous presentations at meetings, conferences and other gatherings. Overall, these efforts reached 1,600 attendees.

Dr. Jacobson said that the Commission used technology extensively to make review processes and document sharing more efficient.

One other component of SB 2042 for the preliminary teaching credential remains to be fulfilled: the requirement for teaching performance assessment. While the formal implementation has been put on hold because of the state's budget crisis, the Commission staff has been providing training and working with 40 volunteer institutions for more than a year.

Turning to preparation for the Professional (Clear) Credential, Dr. Birch said there are two standards: induction and the fifth-year program standards. The key features of induction are standards-based support and assessment practices, alignment with K-12 academic content standards, collaboration between K-12 and IHEs and ongoing professional growth. The standards were adopted in March 2002, in September 2002 the first programs were submitted and as of June 1, 2004 130 out of 150 programs were approved.

For the Fifth Year of Study, which is waived if a teacher completes induction, Dr. Birch reported that 17 programs have been submitted since January 2004 and one has been approved.

Dr. Jacobson said federal funding has allowed the Commission to engage in four studies of the implementation process and outcomes. These include a study of implementation, a study on CFASST, a study of a potential Teacher Preparation Program Performance Index, and studies of alignment of multiple subject matter preparation programs with K-12 academic content standards.

In summary, Dr. Birch said implementation of SB 2042 has resulted in an unprecedented and highly successful effort to simultaneously restructure all elements of teacher credentialing. By leveraging federal funds and using technology, the Commission accomplished the task easier, faster and economically. Issues that remain to be addressed are the implementation of blended programs in light of NCLB, the teacher performance assessment, new roles and responsibilities for county offices of education and the viability of the fifth-year option once full funding for BTSA is available.

Beverly Young, California State University, said she wanted to clarify that while institutions are participating in voluntarily trying the teacher performance assessment, no CSU is actually implementing the program because of concerns about funding.

Commissioner Lilly praised the report and noted how much the Commission has accomplished in just a few years. He asked how quickly the blended program

issue will be brought back to the Commission. Dr. Birch said it is planned for the October agenda.

Ex Officio Representative Symms Gallagher thanked staff for the effective technical assistance that has been provided. She also asked about an evaluation study of assessor training. Amy Jackson, Administrator, Professional Services Division, said the study has not yet been designed because of the delay in moving forward with the assessment. But as the program proceeds, the Commission plans to study the effectiveness to make sure the system is working as intended.

Ex Officio Representative Waite asked Ms. Jackson to address Ms. Young's comments about CSU and the TPA. Ms. Jackson said there is a high level of interest in the training and that some institutions are using the assessment, such as the Los Angeles intern program. Others are simply coming to the training out of curiosity or to prepare for eventual implementation.

7B: Teacher Examination Study

Ms. Jackson provided a report on the Commission's request that staff look at the feasibility of creating a more efficient teacher examination process. The report covered four key issues:

- Basic skill exam requirements for teacher candidates
- Overlapping content across current exams
- Feasibility of using technology (online or test center exams)
- SB 2042 teaching performance assessment

Agenda materials included a look at specific Education Code requirements and provided charts on the cost of exams for multiple subject (\$391 or \$483) and single subject credentials (\$257).

Commissioner Lilly said he would like to see a staff proposal for a process that would be designed around two questions - what to do about current exams and what to do about the TPA. He said the process should be similar to that used for the emergency permits or accreditation review, with stakeholders involved. He said he was restraining himself from commenting on issues because he believes it is important to focus on getting a process established first.

Vice Chair Johnson said she wanted to make sure that no matter what happens

to the tests, the writing sample requirement is retained.

Dr. Swofford said that from past experience with litigation over tests, it is important to proceed carefully, particularly since different groups use the tests for different purposes. Staff will come back with a proposal for a process.

GENERAL SESSION

3G: Report of Executive Committee

Chair Madkins reported that the Executive Committee approved its May 5, 2004 minutes (Commissioner Beckner abstained), and staff presented its review of current policies, regulations and statutes, as well as recommendations for further streamlining and efficiencies. Staff was directed to bring these concepts back to the Commission for a fuller discussion in the appropriate committees.

3H: Report of Closed Session Items

Chair Madkins reported that the Commission continued the matter of Gloria Burns' Petition for Reinstatement until further disposition. The Commission reconsidered and sustained its prior decision in the matter of Allen Caveness.

3I: Report of Appeals and Waivers Committee

A&W-2A

...that the Commission *APPROVE* the minutes of the May 5, 2004 Appeals & Waivers Committee meeting.

A&W-2B

...that the Commission *APPROVE* the 171 waiver requests on the Consent Calendar.

A&W-2C

...that the Committee *APPROVE* the 1 waiver request on the Conditions Calendar with the specific conditions attached.

A&W-2D

The Committee voted to recommend a preliminary denial of the 6 Waiver Requests on the Denial Calendar. These items will be brought to the Commission for action at the August 2004 meeting.

A&W-2E

...that the Commission *GRANT* the 1 credential appeal request on the Consideration of Credential Appeals Calendar.

The Commission voted, without dissent, in favor of the actions taken by the Committee.

3J: New Business

Quarterly Agenda: The quarterly agenda for August, September/October and November/December was provided. Ex Officio Representative Waite asked about the Passport to Teaching Certificate item. Ms. Graybill said the item will be presented for the Commission's information and discussion. The quarterly agenda will be corrected to reflect the item is for information only.

Commission Member Reports: Commissioner Beckner said a few months ago she participated as an observer in an accreditation review at the University of the Pacific. She said she learned a great deal and was very impressed with the process. She thanked everyone for allowing her to participate.

Audience Presentation: Dr. Maria de Marin of InterAmerican College said that as a volunteer member of the Bias Committee she learned about the standards for American Sign Language credentials. She wanted to make the Commission aware that in other countries, other sign language systems are used. She said it is important that teachers not stop students from communicating with their families in whatever sign language system they are already using.

ADJOURNMENT

The meeting adjourned. The next meeting will be held on August 12, 2004 at the California Commission on Teacher Credentialing office, 1900 Capital Avenue, Sacramento, California.